

विकास नियंत्रण नियमावली- भिवंडी निजामपूर
म्हाडा वसाहतीच्या लो कॉस्ट हाऊसिंग स्किम
बाबतच्या नियम क्र.३३(३),मध्ये बदल करणेबाबत.
महाराष्ट्र प्रादेशिक व नगर रचना अधिनियम,१९६६
चे कलम ३७ (१ अंश) अन्वये सूचना ---

महाराष्ट्र शासन

नगर विकास विभाग

शासन निर्णय क्रमांक-टीपीएस-१२०८/अनौ.स.क्र.१५०/प्र.क्र.४४५/०८/नवि-१२

मंत्रालय,मुंबई- ४०० ०३२.

दिनांक :- १५ जानेवारी २००९.

शासन निर्णय :- सोबतची जांडलेली सूचना राज्य शासनाच्या साधारण राजपत्रात प्रसिध्द करण्यात यावी.

महाराष्ट्राचे राज्यपाल यांच्या आदेशानुसार व नांवाने.

(अशोक बा. पाटील)
कार्यासन अधिकारी.

प्रति,

- १) प्रधान सचिव, गृहनिर्माण विभाग, मंत्रालय, मुंबई- ३२.
- २) आयुक्त, भिवंडी-निजामपूर शहर महानगरपालिका, भिवंडी. जि. ठाणे.
- ३) मुख्य कार्यकारी अधिकारी, म्हाडा, गृहनिर्माण भवन, बांद्रा (पूर्व) मुंबई- ५३.
- ४) संचालक नगर रचना महाराष्ट्र राज्य-पुणे.
- ५) उप सचिव, नगर रचना, मंत्रालय, मुंबई.
- ६) उपसंचालक, नगर रचना, कोकण विभाग, कोकण भवन, नवि-मुंबई.
- ७) सहायक संचालक नगर रचना, ठाणे शाखा, जिल्हाधिकारी कार्यालय, कोर्ट नाका, ठाणे.
- ८) व्यवस्थापक शासकीय मध्यवर्ती मुद्रणालय, चर्नीरोड, मुंबई.

(त्यांना विनंती की, सोबतची सूचना महाराष्ट्र शासनाचे साधारण राजपत्र भाग -एक, कोकण विभाग, पुरवणीमध्ये प्रसिध्द करण्यात येवून त्याच्या प्रत्येकी ५ प्रती नगर विकास विभाग, मंत्रालय, मुंबई, संचालक नगर रचना, पुणे व उप संचालक नगर रचना, कोकण विभाग, कोकण भवन, नवि-मुंबई यांना पाठविण्यात याव्यात)

१) अधिकारी (नवि-२९) नगर विकास विभाग त्यांना विनंती करण्यात येते की, सदर सूचना विभागाच्या वेबसाईटवर प्रसिध्द करावी.

१०) निवडनस्ती (कार्यासन-१२)

GOVERNMENT OF MAHARASHTRA
Urban Development Department,
Mantralaya, Mumbai 400 032.
Dated January, 2009.

NOTICE

No. TPS 1208/UOR 150/CR-445/2008/UD-12:

Whereas the Development Control Regulations for Bhiwandi-Nijampur (hereinafter referred to as "the said Regulations") have been sanctioned by Government in Urban Development Department, under section 31(1) of the Maharashtra Regional and Town Planning Act, 1966 (hereinafter referred to as "the said Act") vide Notification No. TPS 1299/331/CR-45/99/UD-12 dated 30/3/2001 to come into force with effect from 1/5/2001.

And whereas, Regulation 33(3) of the said Regulations deals with Low Cost Housing Schemes of the Maharashtra Housing & Area Development Authority (MHADA).

And whereas, Govt. in Housing Department has declared the "Housing Policy" (hereinafter referred to as "the said policy").

And whereas, the said policy proposed to allow redevelopment of MHADA colonies by providing higher FSI and to revise the size of old tenements. This will enable the present occupants to have better accommodation as well as create additional housing stock.

And whereas, Govt. felt it necessary to prepare a new set of regulation No. 33(3) by replacing the existing regulation (hereinafter referred to as "the said proposed modification").

And whereas, the said proposed modification is of public interest.

Now therefore, in exercise of the powers conferred under sub-section (1AA) of section 37, Govt. is pleased to issue the notice for inviting suggestions/objections from public.

The Government is further pleased to inform that any objections/suggestions upon the said proposed modification be forwarded within 30 days from the date of publication of this notice in the official gazette to the Deputy Director of Town Planning, Konkan Division having his office at Konkan Bhavan, Navi Mumbai who is being appointed as an 'officer' under section 162 of the said Act. The said officer shall submit his report to Government after scrutinising the suggestions and objections over the proposed

modification, say of the said Corporation and after granting hearing to the concerned persons including the said Corporation.

PROPOSED MODIFICATION

Regulation 33(3) of the said regulations shall be replaced as per the Schedule attached herewith.

By order and in the name of the Governor of Maharashtra,


(Ashok B. Patil)
Section Officer.

SCHEDULE

Accompaniment to Government in Urban development Department's Notice No. TPS 1208/UQR 150/CR-445/08/UD-12 dated January, 2009.

33(3) Development/redevelopment of Housing Schemes of Maharashtra Housing & Area Development Authority:

- 1) The FSI for a new scheme on vacant lands of Low Cost Housing Schemes for Economically Weaker Section, Low Income Groups & Middle Income Group of the MHADA having at least 60% built up area in the form of tenements under EWS, LIG & MIG categories shall be 2.50.
- 2) For redevelopment of existing housing schemes of MHADA undertaken by the MHADA departmentally or jointly with societies/occupiers of buildings or by housing societies/occupiers of building or by lessees of MHADA or by the developer, the FSI shall be as under -
 - a) Total permissible FSI shall be 2.5 on gross plot area.
 - b) The incentive FSI admissible against the FSI required for rehab shall be as under -
 - (i) In congested area, for the area upto 4000 sq.mt. the incentive FSI admissible will be 50%.
 - (ii) In congested area, for the area above 4000 sq.mt. the incentive FSI admissible will be 60%.
 - (iii) Outside congested area, for the area upto 4000 sq.mt. the incentive FSI admissible will be 60%.
 - (iv) Outside congested area, for the area above 4000 sq.mt. the incentive FSI will be 75%.
 - (c) Difference between 2.5 FSI and the FSI required for "rehab + incentive" shall be shared between MHADA & Society/Developer in the ratio of 2:1.
 - (d) In the scheme, for the land allotted for societies of MIG & HIG and developed plot allotted individually to MIG & HIG group, the permissible FSI shall be as per Development Control Regulation No.32.
- 3) In case of grant of NOC with additional permissible Builtup area by Mumbai Board/MHADA for the purpose of undertaking Redevelopment/Utilisation, MHADA shall charge premium at the rate decided by Govt. in Housing Department from time to time.

- 4) For the purpose of calculating the FSI, the entire area of the layout including development plan roads and internal roads but excluding the land under the reservation of public amenities shall be considered. Sub-division of plots will be permissible on the basis of compulsory open spaces as in these Regulations. For low cost housing schemes of MHADA for EWS, LIG categories, the Regulations in Appendix-I shall apply.
- 5) For the purpose of this Regulation the carpet areas for EWS, LIG or MIG tenements shall be as determined by the Government from time to time.
- 6) For the off site infrastructure, MHADA shall pay to the MCGM 12.5% of the charges collected by MHADA for the grant of additional FSI (FSI over and above the normally permissible FSI) for the Redevelopment Schemes.
- 7) Notwithstanding anything contained in these regulations, the relaxations incorporated in Regulations No. 33(3) of these regulations shall apply for Housing schemes under this regulation for tenements under EWS/LIG and MIG categories. However, the front open space in no case shall not be less than 3.6 mt.
- 8) In any Redevelopment scheme where the Co-operative Housing Society/Developer appointed by the Co-operative Housing society has obtained No Objection Certificate from the MHADA/Mumbai Board thereby sanctioning additional balance FSI with a consent of 70% of its members and where such NOC holder has made provision for alternative accommodation in the proposed building (including transit accommodation) then it shall be obligatory for all the occupiers/members to participate in the Redevelopment Scheme and vacate the existing tenement for the purpose of redevelopment. In case of failure to vacate the existing tenements, the provisions of section 95A of the MHADA Act mutatis mutandis shall apply for the purpose of getting the tenements vacated from the non co-operative members.
- 9) A corpus fund, as may be decided by MHADA, shall be created by the Developer which will remain with the societies for its maintenance.

(Ashok B. Patil)
Section Officer